

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -	-X
	:
UNITED STATES OF AMERICA	:
	:
- v . -	:
	:
CHRISTINE GUNNING,	:
a/k/a "Christine Dalaba,"	:
	:
Defendant.	:
	:
- - - - -	-X

11/26/12	Page 1 of 10
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INFORMATION

S3 11 Cr. 614 (VM)

COUNT ONE

The United States Attorney charges:

1. On or about April 7, 2004, in the Eastern District of New York, CHRISTINE GUNNING, a/k/a "Christine Dalaba," the defendant, willfully and knowingly entered into a marriage for the purpose of evading provisions of the immigration laws, to wit, in exchange for compensation, GUNNING entered into a sham marriage with an alien to permit the alien to obtain immigration status fraudulently.

(Title 8, United States Code, Section 1325(c) and Title 18, United States Code, Section 2.)

COUNT TWO

The United States Attorney further charges:

2. From in or about 2003, until in or about 2011, in the Southern District of New York and elsewhere, CHRISTINE GUNNING, a/k/a "Christine Dalaba," the defendant, and others known and unknown, willfully and knowingly combined, conspired, confederated, and agreed together and with each other to commit

an offense against the United States, to wit, to violate Section 1325(c) of Title 8, United States Code.

3. It was a part and an object of the conspiracy that CHRISTINE GUNNING, a/k/a "Christine Dalaba," the defendant, and others known and unknown, willfully and knowingly would and did enter into and assist others in entering into marriages for the purpose of evading provisions of the immigration laws.

Overt Acts

4. In furtherance of said conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about April 7, 2004, CHRISTINE GUNNING, a/k/a "Christine Dalaba," the defendant, entered into a sham marriage with a co-conspirator alien ("CC-1") in Queens, New York.

b. On or about February 3, 2009, CHRISTINE GUNNING, a/k/a "Christine Dalaba," the defendant, recruited a co-conspirator United States Citizen ("CC-2") and brought CC-2 to Westchester County, New York, in order for CC-2 to enter a sham marriage with a co-conspirator alien ("CC-3") in Westchester County, New York.

(Title 18, United States Code, Section 371.)

COUNT THREE

The United States Attorney further charges:

5. From in or about 2003, until in or about 2011, in the Southern District of New York and elsewhere, CHRISTINE GUNNING, a/k/a "Christine Dalaba," the defendant, and others known and unknown, willfully and knowingly combined, conspired, confederated, and agreed together and with each other to violate Section 1324(a)(1)(A)(iii) of Title 8, United States Code.

6. It was a part and an object of the conspiracy that CHRISTINE GUNNING, a/k/a "Christine Dalaba," the defendant, and others known and unknown, knowing and in reckless disregard of the fact that an alien has come to, entered, and remains in the United States in violation of law, would and did conceal, harbor, and shield from detection, and attempt to conceal, harbor, and shield from detection, such alien in any place, including a building and a means of transportation, in violation of Section 1324(a)(1)(A)(iii) of Title 8, United States Code.

Overt Acts

7. In furtherance of said conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about April 7, 2004, CHRISTINE GUNNING, a/k/a "Christine Dalaba," the defendant, entered into a sham marriage with CC-1, an alien, in Queens, New York.

b. On or about February 3, 2009, CHRISTINE GUNNING, a/k/a "Christine Dalaba," the defendant, recruited a co-conspirator United States Citizen ("CC-2") and brought CC-2 to Westchester County, New York, in order for CC-2 to enter a sham marriage with a co-conspirator alien ("CC-3") in Westchester County, New York.

(Title 18, United States Code, Section 1324(a)(1)(A)(v)(I).)

COUNT FOUR

The United States Attorney further charges:

8. From in or about 2007, up to and including in or about 2008, CHRISTINE GUNNING, a/k/a "Christine Dalaba," the defendant, in the Northern District of New York and elsewhere, together with others known and unknown, unlawfully, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations and promises, for the purpose of executing such scheme and artifice and attempting so to do, did place in a post office and authorized depository for mail matter, matters and things to be sent and delivered by the Postal Service, and did deposit and cause to be deposited matters and things to be sent and delivered

by private and commercial interstate carriers, and did take and did receive therefrom, such matters and things, and did cause to be delivered by mail and such carriers, according to the direction thereon, and at the place at which it was directed to be delivered by the person to whom it was addressed, such matters and things, to wit, in exchange for payment GUNNING provided her mailing address to another individual in order to allow the individual to fraudulently use GUNNING's mailing address to obtain cheaper insurance rates.

(Title 18, United States Code, Sections 1341 & 2.)

FORFEITURE ALLEGATION AS TO COUNTS ONE AND TWO

9. As a result of committing one or more of the offenses charged in Counts One and Two of this Information, CHRISTINE GUNNING, a/k/a "Christine Dalaba," the defendant, shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(6), any conveyance, including any vessel, vehicle, or aircraft used in the commission of the offenses of which the defendant is convicted; and any property real and personal that constitutes, or is derived from or is traceable to proceeds obtained directly or indirectly from the commission of the offenses of which the defendant is convicted; or that is used to facilitate, or is intended to be used to facilitate, the commission of the offenses of which the defendant is convicted.

Substitute Asset Provision

10. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 18 U.S.C. § 982(b) and 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982 and Title 21, United States Code, Section 853.)

FORFEITURE ALLEGATION AS TO COUNT THREE

11. As a result of committing the offense charged in Count Three of this Information, CHRISTINE GUNNING, a/k/a "Christine Dalaba," the defendant, shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(6), any conveyance,

including any vessel, vehicle, or aircraft used in the commission of the offense; and any property real and personal that constitutes, or is derived from or is traceable to proceeds obtained directly or indirectly from the commission of the offense; or that is used to facilitate, or is intended to be used to facilitate, the commission of the offense; and pursuant to 8 U.S.C. § 1324(b), GUNNING shall forfeit to the United States, any conveyance, including vessel, vehicle, or aircraft, that has been or was being used in the commission of the offense, the gross proceeds of the offense, and property traceable to such conveyance or proceeds.

Substitute Asset Provision

12. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 8 U.S.C. § 1324(b), 18 U.S.C. § 982(b), and 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 8, United States Code, Section 1324(b), 18, United States Code, Section 982, and Title 21, United States Code, Section 853.)

FORFEITURE ALLEGATION AS TO COUNT FOUR

13. As a result of committing the offense alleged in Count Four of this Information, CHRISTINE GUNNING, a/k/a "Christine Dalaba," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461, any property, real and personal, constituting or derived from proceeds obtained directly or indirectly as a result of the offense alleged in Count Four of this Information.

Substitute Asset Provision

14. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the Court;

(3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to 18 U.S.C. § 981, 21 U.S.C. § 853(p), and 28 U.S.C. § 2461(c), to seek forfeiture of any other property of said defendant, up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981; Title 21, United States Code, Section 853; and Title 28, United States Code, Section 2461.)

Preet Bharara

PREET BHARARA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

CHRISTINE GUNNING,
a/k/a "Christine Dalaba,"

Defendant.

INFORMATION

S3 11 Cr. 614 (VM)

(8 U.S.C. §§ 1324(a)(1)(A)(v)(I),
1325(c);
18 U.S.C. §§ 2, 371, 1341.)

PREET BHARARA
United States Attorney.

11/26/12 DEFT. CHRISTINE GUNNING PNLG. w/ATTY KELLEY SHANKY
DEFF WAIVES INDICTMENT AND PLEADS GUILTY TO CTS 1-4.
PSI ORDNED SENT DATE SET FOR 3/26/14. BAIL CONTD
JUDGE COTT COMMUNICATED JUDGE MANNINO RECENT PLACED
COTT USM